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| Office Action Summary | Application No. | Applicant(s) | |
| | 09/819,521 | VOGT, DAVID | |
| | Examiner Thong H. Vu | Art Unit 2142 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 05 July 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-13, 16-37, 40-61, 64-85 and 88-96 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-13, 16-37, 40-61, 64-85, 88-96 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

1. Claims 1-13,16-37,40-61,64-85,88-96 are pending. Claims 1,25,49,73 have been amended. Claims 14,15,38,39, 62,63,86,87 are canceled. Thus, the Final action is appropriate.

Response to Arguments

2. Applicant's arguments, see pages 34-37 filed 9/22/04 with respect to the rejections of claims 1-96 under Hobbs-Coil have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kikinis-Meng.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-13,16-37,40-61,64-85,88-96 are rejected under 35 U.S.C. 103 as being unpatentable over Kikinis [6,553,410 B2] in view of Meng et al [Meng, 5,953,524].

4. As per claim 25, Kikinis discloses a proxy server for providing transparent proxy services to a user of a client device, the client device having a browser for retrieving digital content from a data network, wherein the client device, the proxy server and a remote server are connected to the data network, the remote server having a remote

server host name [Kikinis, a proxy server has linked to other Web servers, Fig 1; remote server, col 25 lines 1-15], the proxy server comprising computer software code for:

receiving a first request from the browser for a first Web page, wherein there is a remote server hostname (i.e.: ID) associated with the remote server and the first request includes the remote server hostname for referencing the first Web page [Kikinis, Web page, an ID match, Web browser, col 7 lines 7-50, col 8 lines 15-46];

requesting the first Web page from the remote server [Kikinis, remote data source, col 4 lines 26-30]; receiving the first Web page from the remote server [Kikinios, remote server, col 25 lines 1-15]; parsing the first Web page for references to the remote server [Kikinios, broadcast links, col 21 lines 20-32];

identifying a first reference within a javascript construct, wherein the javascript construct, when performed, would force a page reload by the browser [Kikinis, Java, col 26 lines 1-18; auto-refresh, col 27 lines 50-65];

inserting a first javascript function into the modified remote page for modifying references [Kikinis, a specific input is received, col 22 lines 44-57; a sequence of URLs is entered, col 27 lines 21-33; Markscript or Javascript includes a pointer chain of URLs or modified remote page, col 27 line 66-col 28 line 7, Fig 14];

inserting a call (i.e.: request) to the first javascript function into the javascript construct, wherein the first reference is encapsulated in the function call [Kikinis, Java, col 26 lines 1-18; the HTTP request and a unique set of control routines or functions, col 15 lines 31-44; wherein the request includes the first destination as the first reference, col 27 lines 35-49];

modifying at least one reference to the remote server (i.e.: change to other URLs) in the first unit of digital content (i.e.: text, audio, video) to form a modified first unit of digital content by inserting a surrogate server hostname into the at least one reference [Kikinis, script is provided to link microphone and speaker in the doll, the linkage is indirect function such as voice output to a doll or a surrogate server, col 22 lines 54-col 23 line 2] and

However Kikinis does not explicitly detail removing a remote server hostname from the at least one reference, wherein the surrogate server hostname is different from the remote server hostname.

It was well-known in the art that the surrogate copy or remote server hostname can be used to replace the remote server if the remote server can not be obtained immediately [Meng, col 14 lines 36-56. It was clearly that the surrogate hostname and remote server host name could be the same or different machine or address as a design choice].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of removing or replacing a remote server by the surrogate address (or name) as taught by Meng the Kikinis's apparatus in order to utilize the refreshing process. Doing so would allow users-developers to specify that certain features of the application can be modified readily at runtime.

5. As per claim 26, Kikinis-Meng disclose there is a proxy server hostname associated with the proxy server, and the surrogate server hostname is the proxy server hostname [Kikinis, a proxy server has linked to other Web servers, Fig 1]

6. As per claim 27, Kikinis-Meng disclose the computer software code for receiving a second request from the browser for a second Web page, wherein the second request identifies the surrogate server hostname as a source of the second Web page [Kikinis, a sequence of URLs is entered, col 27 lines 21-33; Markscript or Javascript includes a pointer chain of URLs or modified remote page, col 27 line 66-col 28 line 7, Fig 14].

7. As per claim 28, Kikinis-Meng disclose the computer software code for modifying the second request to a modified second request by removing the surrogate server hostname from the second request transmitting the modified second request to the remote server [Meng, col 14 lines 36-56].

8. As per claim 29, Kikinis-Meng disclose a web server and the data network utilizes TCP/IP and HTTP protocols, the computer software code for modifying the surrogate server hostname to the remote server hostname in the at least one reference [Kikinis, a sequence of URLs is entered, col 27 lines 21-33; Markscript or Javascript includes a pointer chain of URLs or modified remote page, col 27 line 66-col 28 line 7, Fig 14].

9. As per claim 30, Kikinis-Meng disclose a web server and the data network utilizes TCP/IP and HTTP protocols, wherein the at least one reference includes a local path, the computer software code for inserting the surrogate server hostname into the at least one reference in place of the remote server hostname making the remote server hostname server part of the local path of the at least one reference [Meng, surrogate copy, col 14 lines 36-56].

10. As per claim 31, Kikinis-Meng disclose the computer proxy code for modifying or reversing the characters in the remote server hostname to thereby make the remote server hostname read backwards as inherent feature of proxy server.

11. As per claim 32, Kikinis-Meng disclose the computer proxy code for changing the periods to slashes (“/”) in the reversed remote server hostname as inherent feature of proxy server.

12. As per claim 33, Kikinis-Meng disclose the computer proxy code for inserting a separator between the reversed hostname of the remote server and the remainder of the path as inherent feature of proxy server.

13. As per claim 34, Kikinis-Meng disclose the separator comprises a caret (“^”) as inherent feature of proxy server.

14. As per claim 35, Kikinis-Meng disclose computer software code for inserting a base reference tag pointing to the surrogate server into the modified remote page [Meng, surrogate copy, col 14 lines 36-56].

15. As per claim 36, Kikinis-Meng disclose computer software code for determining if a base tag is present in the remote page, and if so, then modifying the base tag to point to the surrogate server by replacing the remote server hostname with the surrogate server hostname as inherent feature of proxy server.

16. As per claim 37, Kikinis-Meng disclose the computer software code identifying a first reference, wherein the first reference is to be displayed by the browser and therefore would be visible to the user, the proxy server code for not modifying the first reference as inherent feature of proxy server.

17. As per claim 38, Kikinis-Meng disclose the computer software code identifying a first reference within a java script construct, the proxy server code for inserting a first java-script function into the modified remote page for modifying references, and inserting a call to the first java-script function into the java-script construct, whereby the first reference is encapsulated in the function call as inherent feature of proxy server.

18. As per claim 39, Kikinis-Meng disclose the java-script construct, when performed would force a page reload by the browser [Kikinis, refresh, col 27 lines 50-65].

19. As per claim 40, Kikinis-Meng disclose the computer software code for identifying a first reference which is associated with any of the following HTML tags: <SRC="">, <HREF="">, <ACTION="">, "<META CONTENT='#;URL'" the computer software code for modifying the first reference as inherent features of HTML.

20. As per claim 41, Kikinis-Meng disclose the computer software code identifying a first reference, wherein the first reference ends with an extension indicating that content identified by the first reference is binary data, the proxy server code for not modifying the first reference as inherent feature of proxy server.

21. As per claim 42, Kikinis-Meng disclose the computer software code for identifying a first reference, wherein the first reference includes a hostname other than the remote server hostname the proxy server code for not modifying the first reference as inherent feature of proxy server.

22. As per claim 43, Kikinis-Meng disclose the computer software code for identifying a first reference, wherein the first reference includes a hostname (i.e.: proxy/surrogate name) other than the remote server hostname and the first reference comprises a link, the computer software code for modifying the reference to provide an error message to the user if the user selects the link as inherent feature of software code as inherent feature of the proxy code.

23. As per claim 44, Kikinis-Meng disclose the computer software code for identifying a first reference, wherein the first reference is a relative reference or an absolute reference relative to root, the proxy server code for not modifying the first reference as inherent feature of the proxy code as inherent feature of the proxy code.

24. As per claim 45, Kikinis-Meng disclose the computer software code for receiving a header from the remote server which is of a type which will cause the browser to load a new page, wherein the header includes a first reference including the remote server hostname the proxy server code for modifying the first reference the proxy server code for transmitting the modified header to the browser as inherent feature of the proxy code.

25. As per claims 46,47 Kikinis-Meng disclose the header comprises "Location" , "Content-Location" as inherent feature of the proxy code.

26. As per claim 48, Kikinis-Meng disclose the software code for receiving a header from the remote server which is of a type which will cause the browser to set a cookie, wherein the header includes a first reference including the remote server hostname the proxy server code for modifying the first reference the proxy server code for transmitting the modified header to the browser as inherent feature of the proxy code.

27. Claims 1-24; 49-72 and 73-96 contains the similar limitation as set forth claim 25-48. Therefore, claims 1-24; 49-72; 73-96 are rejected for the similar rationale set forth in claims 25-48.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

